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ORIGINAL

ARIZONA CORPORATION COMM

UTILITY COMPLAINT FORM

**Investigator:** Carmen Madrid

**Phone:**

Arizona Corporation Commission  
**Fax:** DOCKETED

**Priority:** Respond Within Five Days

NOV 10 2009

**Opinion**      **No.** 2009      82989

**Date:** 11/9/2009

**Complaint Description:**      10P      Power plant opinions, whether in favor or opposed.  
N/A      Not Applicable



**Complaint By:**      **First:** Cheryl      **Last:** Fisher

**Account Name:** Cheryl Fisher

**Home:**

**Street:**

**Work:** (000) 000-0000

**City:** Phoenix

**CBR:**

**State:** AZ      **Zip:**

**is:**

RECEIVED  
2009 NOV 10 PM 3:13  
DOCKET CONTROL

**Utility Company:** Arizona Public Service Company

**Division:** Electric

**Contact Name:** For Assignment

**Contact Phone:** (602) 250-2922

**Nature of Complaint:**

November 5, 2009

Arizona State Corporation Commission  
1200 West Washington Street  
Phoenix, AZ 85007  
Attention: Ms. Carmen Madrid

RE: APS TS-9 to Pinnacle Peak Transmission Project – we are “that” family mentioned in several letters

Dear Ms. Madrid,

I understand from many of our neighbors that you have already been contacted about the power line matter with regards to APS in our neighborhood. I also am aware that several of the letters you have already received refer to a family with special needs children who are being directly impacted by these power lines. Ms. Madrid, we are that family and I personally, wanted to tell you about our unique situation as a result of this project which is currently underway.

Like my neighbors, on October 2, 2009 we were notified that, on October 15, 2009 - only 13 days later - APS would be installing 69kV / 12kV electric lines consisting of (6) high voltage wires attached to (3) new 60 foot steel poles west of 1-17 and Dynamite neighborhood development along the 35th Avenue alignment, which is 2 properties to the west of our home. Immediately neighbors were talking, rallying, sending letters and - in our case- making calls to APS and elected officials to get clarification. Because of our collective efforts, APS agreed to delay work until after a meeting could be had with our community on October 29th.

It was AT THAT MEETING, that the neighbors finally heard from APS what the FULL scope of this project was going to be - and that ADDITIONAL lines and poles were to be installed directly BEHIND our homes and along the CAP as well. Homeowners were blindsided and furious at this new revelation, obviously. It was only when an attorney who was present at the request of our HOA Board suggested that APS delay work for 30 days so

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that further discussions could be had with the homeowners - and APS flatly refused - that homeowners became shocked. APS had it in their minds all along that their project - including the newly presented additional lines along the Canal - would begin on Monday morning. Neighbors then were simply given FOUR DAYS NOTICE - and NO consideration.

Senator Jack Harper, who was at our HOA meeting at my request, even raised concerns about how APS had obtained the State Land for these projects. Apparently at issue was the thought that APS negated a "public bid process" for the easement along the 35th Avenue alignment. We have, in subsequent days, been assured that this process was NOT done properly and that, with legal intervention, we might be able to either slow, or curtail, APS in their efforts. Unfortunately, however, this is a huge legal battle that the local homeowners do not have either the money or time to pursue. APS is doggedly working to install these poles immediately, and their timing, while suspect, is causing the residents to take note. We believe your agency, also, should be concerned about the speed in which APS has maneuvered this project through. It is a reality, that, by week's end, our area is going to be walled in by power lines, whether we like it or not.

My family's home, in particular, is going to be adversely impacted with these power lines, particularly as they are installed above ground. You see, when my husband and I purchased our property at in November of 2002, we had a foster child that we were in the process of adopting. She had just undergone massive cardiac surgery and was on oxygen and under intensive medical care after her lengthy stay at Phoenix Children's Hospital. Our builder, KB Homes, AND the City of Phoenix, were all aware of the circumstances of our daughter's immediate medical issues (we were coming every day or two to watch our "Dream Home" being built) and our family became quite well known in the community. The builders, the city inspectors, EVERYONE was gracious and went to pain-staking efforts to assure, BEFORE WE EVEN MOVED IN, that the long-term needs of our children and our family would be met - including securing local emergency services, upgrades to home, and notifying all of the utility companies of our unique situation. Our home was, in every way, built FOR our children - and was where we hoped on living out our days.

As a result of KB Homes, the City of Phoenix, the utility companies and several EMT providers in the area, SINCE November 2002, our home has been uniquely equipped to handle the life-time of medical issues foreseen for our daughter, AND for the other children we were wishing to bring into our home. Over the past 7 years, we have completed the adoption of three children to date. We have also been Foster Parents to medically fragile children many, many times as well.

In 2002, the City had even come out and measured our cul-de-sac to assure that, under the direst of medical situations, a helicopter would be able to land to provide transportation that may have been required. Ironically, about 2 months after this was done, a neighbor of ours had cause to use that service - and a helicopter landed in our cul-de-sac in front of our home, because the cul-de-sac in which THEY lived (the next block over) was too small for that purpose. Thankfully, WE personally have not had cause for this dire intervention, but that is not to say we may not need it in the future. It was, however, noted AND AVAILABLE when it WAS needed for another family in our immediate area.

We have been told that, should APS elect to continue with this project - and they NOT bury these proposed power lines - pilots would more than likely NOT wish to use our cul-de-sac for this purpose. At a meeting our HOA had with APS, it was even confirmed BY APS STAFF - who, earlier in the week, flew THEIR helicopter over the area - that "only the most experienced pilot would want to take this on with the existing lines". APS has somehow determined then that "ADDING lines - making a bad situation worse - should then have only a minimal additional impact". I am sorry, but I whole-heartedly am going to argue their (lack of) logic here. At the HOA Meeting, I even asked the APS Contractor; "If this were YOUR family, would you take this risk and continue living here under the circumstances you are now imposing upon my family?" The gentleman stumbled and, when pressed for an answer, simply could not do so. His silence was deafening - and I got his message loud and clear. APS staff wouldn't want to remain here with power lines everywhere, knowing they might impede medical intervention yet they have NO problem, apparently, in a down-turned housing market and difficult financial times to give our family no alternative BUT to stay here.

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We know that strong winds blow west in our area, and that the direction of these winds are key to take offs and landings in our cul-de-sac for a medi-vac helicopter. APS installing those lines west of our home, then, may dramatically impact the future emergency responders in our area should a helicopter again be required. Now, obviously, we are not HOPING we ever need this service - but the fact is, and remains, we DID our homework prior to purchasing our home. We took the necessary steps to ensure our childrens' safety and medical accommodations were able to be met. In addition, the City of Phoenix, our builder AND our utilities supported us the entire way. APS SUPPORTED US AS WELL - as they installed a Medical Alert Emblem on our power box as our home was being built to alert technicians and utility staff to the unique needs our home required.

Today, however, there is suddenly a HUGE "discrepancy" regarding that APS Medical Alert Emblem. The timing is of it all is HUGELY concerning to me and causes me to seriously wonder about the questionable business practices and bad judgment of APS. I will share with you what I know.

In June, 2008, an APS technician knocked on our door and told me our home was going to be without power "for a few minutes" while he changed out our meter box. I was told our meter "was broken", though our bills never reflected any problem. I mentioned to the technician about the Medical Alert Emblem, and he indicated that he had seen it - that was why he knocked. When I asked if he was going to replace this emblem on the new box, he said that he did not have one with him, but that we'd have another person come by to install it. Well, I promptly forgot about this - until October 2, 2009 when APS stuck the flyer on my door indicating the work that was soon to begin. I immediately called APS and spent over 2 HOURS on the phone with a person who adamantly insisted there was NO RECORD of my family EVER having this Medical Emblem on it. Not ever. I argued with her, described the emblem and even confirmed that we were, in fact, once CALLED by APS. I don't remember why, but we were told to seek shelter at the Beauf Community Center in our area if we needed power because the area's electricity was likely to be compromised over the course of several hours (black out, brown out or something).

"WHY would I have known where to GO if, in fact, APS did not call me - and they would not have called had we not been in their computer system?" The staffer was unrelenting. Suddenly, though, I remembered that my husband and I had filed a claim with our home builder regarding the exterior paint on our home. As a result, pictures of the exterior of our home were taken and submitted - and I offered up that, if, by chance, one of those photographs showed the APS Medical Emblem on our electric box, I would send them to her. She seemed skeptical, but agreed.

Well, I looked through the pictures - but, sadly, none existed of the power box at all. A few days later, though, we had a Meter Reader from APS at our home and everything was turned upside down yet again.

I stopped the meter reader and asked if he knew anything about the Medical Emblem that was supposed to be on our box. Lo and behold, he SHOWED ME that the Medical Emblem was, in fact, THERE, intact, right on our electric box. It was simply re-located to the SIDE of our box and tucked behind the "typical" lock that APS uses. This was probably done when the new box was replaced last summer - as the wiring was rather bent and appeared as if the technician, who did not have a new Emblem in his truck, simply wanted to make the old Emblem "doable". Okay, my husband and I felt foolish we had not - for over a year - noticed this, but the Meter Reader reassured us that, yes, we WERE still intact and that, BEFORE disconnecting our power, a technician, WOULD be knocking on our door. I promptly took several photos of this Emblem, our box, and all identifying information - and I sent it via email to the APS staffer I had spoken with prior.

Several days later, this person contacted me. She had verified that the Emblem - numbed and clearly visible in my photographs - DID, in fact, coincide with our address and she agreed that the obvious weathering of the Emblem indicated it had been there for some time - likely since 2002 when I first indicated it was put there. What this person could not determine, however, was WHY it was there - and why the information necessary for us to HAVE it be there was NOT in the APS system. Interesting, isn't it?

Anyway, with the timing of our "broken meter" in the summer of 2008, and the "coincidence" of the APS application for the project they are now vigorously driving into our immediate area, I have reached my own

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conclusions about their computer "error". I urge you to do likewise. The facts remain, however: WE have the Medical Alert Emblem on our box and it has been there since 2002. APS is most certainly AWARE we have this Emblem - and that we always HAVE had it. While they may feign ignorance on just WHY we have it, the fact remains, however, our family was NEVER taken into account as these decisions for the power lines were being made. APS told us at our HOA meeting that that they DO NOT CARE about our family. "They have the right to install these lines as they are doing, and they will continue to do."

Of utmost importance here is this: APS seems not to care to enforce the very policies established BY THEM to assure that our home - bearing THEIR OWN MEDICAL ALERT EMBLEM - is in fact, assured power and that the homeowners in that home receive the "feel good" extra precautionary measures that we had been believing APS would provide to us all along since November 2002. As I said, we were called once - and I had believed we would be called again if the need arose. We, once, felt GREAT about APS and the services they provided to our special little family. Unfortunately, today, we do not feel likewise.

Right now, we believe this is terrible way for ANY business to operate! It is shocking that APS officials were smug and curt at a meeting with the local residents. The telephone conversations have also been rather unpleasant and condescending. The message of APS being "Goliath" to our area's "David" has been bad enough. The denial and back-peddling of this entity as they now try and stifle our outbursts, however, have been more sickening then I could have ever anticipated. If we were able, believe me, we would be seeking out alternatives for our power supply but, as we confirmed, APS has the monopoly for power to our home.

We are NOT happy, and we are completely NOT comfortable with this entity at this juncture. Because your agency, however, has apparently given APS the "go ahead" for doing what it is they do, I write to you to ask that you PLEASE look further into this matter.

APS - which I not-so-jokingly refer to as "Appalling People Skills" - has caused us many sleepless nights lately. We fear for our childrens' health and safety, and I am not convinced that, because of any individual's whim, our home will simply NOT be shut down from electricity. APS has said they will "do what they want, because they can." Is this REALLY that attitude that your agency can condone as a "fair business practice" for a monopoly utility company in our State?

I would love to discuss this matter with you in further detail and am available at any time. I can be reached via email at t. or by telephone at .

I greatly thank you in advance for your time and consideration to our concerns.

Cheryl C. Fisher  
Mom to Sophie, Madeline and Zachary  
\*End of Complaint\*

### Utilities' Response:

### Investigator's Comments and Disposition:

11/10/09 I contacted consumer and informed her that her letter had been received and will be placed in the docket. I informed her that distribution will be made to each Commissioner and parties assigned this matter. I also provided instructions on how to access the information on the ACC website. She appreciated the information and the follow up call. Closed

Filed in Docket No. L-00000D-08-0330-00138  
\*End of Comments\*